

**RESIDENCY**

**Purpose:** Most programs delivered through the CSOs are limited to Washington residents. This category explains that requirement.

**WAC 388-468-0005 Residency.**

- (1) A resident is an individual who:
  - (a) Currently lives in Washington and intends to continue living here; or
  - (b) Entered the state looking for a job; or
  - (c) Entered the state with a job commitment.
- (2) A person does not need to live in the state for a specific period of time to be considered a resident.
- (3) With the exception of subsection (4) of this section, a client can temporarily be out of the state for more than one month. If so, they must supply the department with adequate information to demonstrate their intent to continue to reside in the state of Washington.
- (4) Noncategorically eligible food assistance households remaining out of the state more than one calendar month lose their state residence status.
- (5) Residency is not a requirement for the following:
  - (a) The medically indigent (MI) program; or
  - (b) Detoxification services.
- (6) It is not necessary for a person moving from another state directly to a nursing facility in Washington state to establish residency, prior to entering the facility.
- (7) A person who enters Washington state temporarily just to get medical care does not meet the definition of a resident and is not eligible for those services.
- (8) For purposes of medical programs a client's residence is the state:

- (a) Making a state Supplemental Security Income (SSI) payment; or
  - (b) Making federal payments for foster or adoption assistance under Title IV-E of the Social Security Act; or
  - (c) Of residence of the parent or legal guardian, if appointed, for an institutionalized:
    - (i) Minor child; or
    - (ii) Client twenty-one years of age or older, who became incapable of determining residential intent before reaching age twenty-one.
  - (d) Where a client is residing if the person becomes incapable before reaching twenty-one years of age; or
  - (e) Making a placement in an out-of-state institution.
- (9) In a dispute between states as to which is a person's state of residence, the state of residence is the state in which the person is physically located.
- (10) A former resident of the state can apply for the GA-U program while living in another state if:
- (a) The person:
    - (i) Plans to return to this state; and
    - (ii) Intends to maintain a residence in this state; and
    - (iii) Lives in the United States at the time of the application.
  - (b) In addition to the conditions in subsection (10)(i), (ii), and (iii) being met, the absence must be the result of one of the following:
    - (i) Is enforced and beyond the person's control; or
    - (ii) Is essential to the person's welfare and is due to physical or

social needs.
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**CLARIFYING INFORMATION**

When an SSI recipient, who is receiving an SSI state supplement from another state, moves to Washington, the state paying the supplement is responsible for the medical services as long as the recipient continues to receive the state supplement from the former state of residence.

When an eligible Medicaid recipient moves to Washington and their previous state refuses to provide the medical services in Washington, the appropriate Medicaid program can be authorized in Washington.

**ACES PROCEDURES**

A Washington State residency code and entrance date are required fields on each member's DEM1 screen. Selecting a code other than <P> (permanent residency) will have a possible effect on program eligibility. The DEM1 screen also has non-mandatory fields for the place of birth: city, state, and hospital. An appropriate code must be entered on this screen for any benefits issued by another state for the month of application. The concurrent benefit fields default to <N>.